

1 PHILLIP A. TALBERT
United States Attorney
2 JUSTIN J. GILIO
Assistant United States Attorney
3 2500 Tulare Street, Suite 4401
Fresno, CA 93721
4 Telephone: (559) 497-4000
Facsimile: (559) 497-4099
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6 Attorneys for Plaintiff
United States of America
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IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

11 UNITED STATES OF AMERICA,
12 Plaintiff,
13 v.
14 URIEL SOTELO-PATINO,
15 Defendant.

CASE NO. 1:23-CR-00013-NODJ-BAM
STIPULATION REGARDING EXCLUDABLE
TIME PERIODS UNDER SPEEDY TRIAL ACT;
ORDER
DATE: January 24, 2024
TIME: 1:00 p.m.
COURT: Hon. Barbara A. McAuliffe

16
17 STIPULATION

18 Plaintiff United States of America, by and through its counsel of record, and defendant, by and
19 through defendant's counsel of record, hereby stipulate as follows:

- 20 1. By previous order, this matter was set for status conference on January 24, 2024.
21 2. By this stipulation, defendant now moves to continue the status conference until April 24,
22 2024, and to exclude time between January 24, 2024, and April 24, 2024, under 18 U.S.C.

23 § 3161(h)(7)(A), B(iv).

- 24 3. The parties agree and stipulate, and request that the Court find the following:
25 a) The government has represented that the discovery associated with this case
26 includes investigative reports, numerous photographs and videos, cellular phone extractions, and
27 other investigative materials. This discovery has been either produced directly to counsel and/or
28 made available for inspection and copying.

1 b) Counsel for defendant desires additional time to consult with his client, conduct
2 further investigation, review the discovery, prepare for a possible trial, and continue to explore a
3 potential resolution of the case, including reviewing a plea offer made by the government.

4 c) Counsel for defendant believes that failure to grant the above-requested
5 continuance would deny her the reasonable time necessary for effective preparation, taking into
6 account the exercise of due diligence.

7 d) The government does not object to the continuance.

8 e) Based on the above-stated findings, the ends of justice served by continuing the
9 case as requested outweigh the interest of the public and the defendant in a trial within the
10 original date prescribed by the Speedy Trial Act.

11 f) For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161,
12 et seq., within which trial must commence, the time period of January 24, 2024 to April 24,
13 2024, inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv) because it
14 results from a continuance granted by the Court at defendant's request on the basis of the Court's
15 finding that the ends of justice served by taking such action outweigh the best interest of the
16 public and the defendant in a speedy trial.

17 4. Nothing in this stipulation and order shall preclude a finding that other provisions of the
18 Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial
19 must commence.

20 IT IS SO STIPULATED.

21
22 Dated: January 11, 2024

PHILLIP A. TALBERT
United States Attorney

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24 _____
25 /s/ JUSTIN J. GILIO
26 JUSTIN J. GILIO
27 Assistant United States Attorney

1 Dated: January 11, 2024

/s/ Nicholas Reyes

2 Nicholas Reyes

3 Counsel for Defendant

4 Uriel Sotelo-Patino

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6 **ORDER**

7 IT IS SO ORDERED that the status conference is continued from January 24, 2024, to **April 24,**
8 **2024, at 1:00 p.m. in Courtroom 8 before Magistrate Judge Barbara A. McAuliffe.** Time is excluded
9 pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv). **However, in any request for a continuance, the parties**
10 **shall explain when they will be ready to set a trial date.**

11

12 IT IS SO ORDERED.

13 Dated: January 17, 2024

/s/ Barbara A. McAuliffe

14 UNITED STATES MAGISTRATE JUDGE